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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/173,040	10/15/1998	JOHN MADDALAZZO JR.	AT9-98-132	1186
46073 7590 02/05/2009 IBM CORPORATION (VE) C/O VOLEL EMILE P. O. BOX 162485 AUSTIN, TX 78716				
EXAMINER				
PAULA, CESAR B				
ART UNIT		PAPER NUMBER		
2178				
MAIL DATE		DELIVERY MODE		
02/05/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOHN MADDALOZZO, JR., GERALD F. MCBREARTY,
JOHNNY M. SHIEH

Appeal 2008-3059
Application 09/173,040
Technology Center 2100

Mailed: February 5, 2009

Before Dale M. Shaw *Chief Appeals Administrator*
SHAW, *Chief Appeals Administrator*.

ORDER DISMISSING APPEAL

On March 7, 2006, appellants filed a Notice of Appeal. On January 28, 2009, appellants filed a communication requesting express abandonment of the application under 37 C.F.R. § 1.138.

Appeal 2008-3059
Application 09/173,040

Accordingly, it is

ORDERED that the appeal filed February 7, 2007, is dismissed.

If there are any questions pertaining to this dismissal, please contact
the Board of Patent Appeals and Interferences at 571-272-9797.

lae

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